

LUKAS, NACE, GUTIERREZ & SACHS, LLP

8300 GREENSBORO DRIVE, SUITE 1200
MCLEAN, VIRGINIA 22102
703 584 8678 • 703 584 8696 FAX

WWW.FCCLAW.COM

RECEIVED
U.S. COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA
2012 JAN 30 PM 4:10
FILING DEPOSITORY

Received & Inspected

FEB - 6 2012

FCC Mail Room

RUSSELL D. LUKAS
DAVID L. NACE
THOMAS GUTIERREZ*
ELIZABETH R. SACHS*
DAVID A. LAFURIA
PAMELA L. GIST
TODD SLAMOWITZ*
BROOKS E. HARLOW*
TODD B. LANTOR*
STEVEN M. CHERNOFF*
KATHERINE PATSAS NEVITT*

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEILA REZANAVAZ
OF COUNSEL
GEORGE L. LYON, JR.
LEONARD S. KOLSKY*
JOHN CIMKO*
J. K. HAGE III*
JOHN J. MCAVOY*
HON. GERALD S. MCGOWAN*
TAMARA DAVIS BROWN*
JEFFREY A. MITCHELL*
ROBERT S. KOPPEL*
MARC A. PAUL*
*NOT ADMITTED IN VA
Writer's Direct Dial
(703) 584-8660
rlukas@fcclaw.com

January 30, 2012

Mark J. Langer, Clerk
United States Court of Appeals for the
District of Columbia Circuit
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001-2866

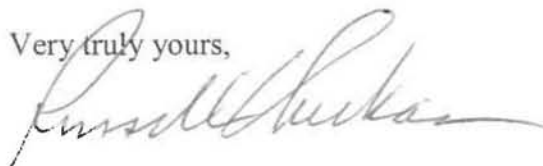
Dear Mr. Langer:

Transmitted herewith on behalf of PR Wireless, Inc. ("PR Wireless") are the original and three copies of its Petition for Review of the Report and Order and Further Notice of Proposed Rulemaking ("Order") issued by the Federal Communications Commission ("FCC") in WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, and WT Docket No. 10-208. Also enclosed are PR Wireless' Corporate Disclosure Statement and a check in the amount of \$450 payable to the Clerk of the Court of Appeals.

Please note that the United States Judicial Panel on Multidistrict Litigation has consolidated proceedings to review the Order with the United States Court of Appeals for the Tenth Circuit. PR Wireless has instituted this proceeding with the Court pursuant to 28 U.S.C. §§ 2342(1) and 2343 for transfer to the Tenth Circuit pursuant to 28 U.S.C. § 2112(a)(5).

Should any questions arise with respect to this matter, please direct them to the undersigned.

Very truly yours,



Russell D. Lukas

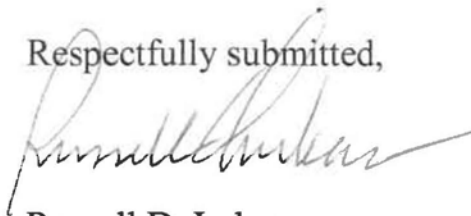
0+2

this proceeding with the Court pursuant to 28 U.S.C. §§ 2342(1) and 2343 for transfer to the Tenth Circuit pursuant to 28 U.S.C. § 2112(a)(5).

Petitioner maintains that the FCC's decision in its Order is arbitrary and capricious, particularly as it affects insular areas, contrary to statute without record support, a departure from reasoned decisionmaking, and otherwise unlawful.

Petitioners therefore respectfully request a court order that vacates, enjoins, and sets aside the Order and remands the matter to the FCC with appropriate instructions.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Russell D. Lukas", written over a light gray background.

Russell D. Lukas

David A. LaFuria

Todd B. Lantor

LUKAS, NACE, GUTIERREZ & SACHS, LLP

8300 Greensboro Drive, Suite 1200

McLean, Virginia 22102

(703) 584-8678

Attorneys for Petitioner

January 30, 2012

Received & Inspected

FEB - 6 2012

FCC Mail Room

Case No.

PR Wireless is a privately-held Delaware limited liability company. No publicly-held company owns more than a 10% interest in PR Wireless. PR Wireless is a 100%-owned subsidiary of PR Wireless, LLC, which is also a privately-held Delaware limited liability company. PR Wireless provides wireless telecommunications services in Puerto Rico.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Russell D. Lukas", with a long horizontal flourish extending to the right.

Russell D. Lukas

David A. LaFuria

Todd B. Lantor

LUKAS, NACE, GUTIERREZ & SACHS, LLP

8300 Greensboro Drive, Suite 1200

McLean, Virginia 22102

(703) 584-8678

Counsel for PR Wireless, Inc.

January 30, 2012

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of January, 2012, I have filed the above and foregoing with the Clerk of the Court and have provided copies to the following by hand delivery:


Eric H. Holder, Jr.
Attorney General
U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Marlene H. Dortch Secretary
FEDERAL COMMUNICATIONS COMMISSION
445 12th Street, S.W.
Washington, DC 20554

Austin Schlick
FEDERAL COMMUNICATIONS COMMISSION
Office of the General Counsel
Room 8-A741
445 12th Street, S.W.
Washington, DC 20554

James M. Carr
Richard K. Welch
FEDERAL COMMUNICATIONS COMMISSION
445 12th Street, S.W.
Washington, D.C. 20554

Nancy C. Garrison
Robert B. Nicholson
U.S DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, N.W.
Room 3224
Washington, D.C. 20530



Joseph S. Mirshak